

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

DONNA ROGERS and  
HOMER ROGERS

PLAINTIFFS

V.

CIVIL ACTION NO. 3:06CV00036-TSL-JCS

NATIONWIDE PROPERTY AND  
CASUALTY INSURANCE COMPANY;

DEFENDANT

**AGREED ORDER**

THIS CAUSE having come on for hearing on motion, *ore tenus* of the Plaintiff for a Protective Order concerning the Subpoenas Duces Tecum issued by Defendant, Nationwide Insurance Company to Plaintiff's medical providers and others including: McCandles Physical Therapy, Inc.; Cingular Wireless, LLC; The Courthouse, Inc. and ADT Security Services, Inc, and the Court after being advised that the parties have agreed that the medical providers and other entities noted herein will be provided with a copy of this Order and instructed to produce any records subpoenaed, under seal, to Wayne E. Ferrell, Jr., Post Office Box 24448, Jackson, Mississippi 39225-4448, where the documents will be retained under seal until such time as Plaintiff's counsel and defense counsel agree upon a date and time to meet and open the sealed documents in the presence of each other. The said meeting must occur within thirty days of the date of this Agreed Order. In the event the Plaintiff claims that any document is privileged or otherwise exempt from discovery, such document shall be placed in an envelope which will be sealed and forwarded to the Court for an *in camera* review.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Defendant, Nationwide Insurance Company, is to provide the above-referenced entities with a copy of this Agreed Order and

inform them that the documents which have been subpoenaed shall be delivered under seal to Wayne E. Ferrell, Jr., Post Office Box 24448, Jackson, Mississippi, where the documents will be retained under seal until such time as Plaintiff's counsel and defense counsel agree upon a date and time to meet and open the sealed documents in the presence of each other; the said meeting must occur within thirty days of the date of this Agreed Order; and in the event the Plaintiff claims that any document is privileged or otherwise exempt from discovery, such document shall be placed in an envelope which will be sealed and forwarded to the Court for an *in camera* review.

IT IS SO ORDERED, this the 1<sup>st</sup> day of August, 2006.

S/James C. Sumner  
UNITED STATES MAGISTRATE JUDGE

AGREED TO BY:

/s/ Wayne E. Ferrell, Jr.  
WAYNE E. FERRELL, JR.  
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